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## ROUTING AND RECORD SHEET

SUBJECT: (Optional)

House Intelligence Committee and its Principles

FROM:

David D. Gries *DDG*  
Director of Congressional Affairs

EXTENSION

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NO.

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28 May 1987

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This folder contains a short account of our relations with the House Intelligence Committee and its principles. It is intended to provide you with background information for future contacts with the Committee. I recommend that you read the first 4 pages prior to your meeting with Mr. Stokes and Mr. Hyde next Wednesday, 3 June. Talking points for that meeting will arrive in a separate package.

*DDG*

David D. Gries

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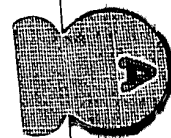
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## LEVEL 2 - 9 OF 13 STORIES

## The Associated Press

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February 5, 1987, Thursday, PM cycle

SECTION: Washington Dateline

LENGTH: 1045 words

BYLINE: By CLIFF HAAS, Associated Press Writer

DATELINE: WASHINGTON

KEYWORD: U.S.-Iran-Contras Roundup

## BODY:

President Reagan's national security review board has arranged to interview him again on his role in the Iran-Contra affair, and the chairman of the House Intelligence Committee is proposing an air-tight law making sure Congress is told of every secret CIA operation.

The board created by Reagan to look into the operations of the National Security Council where the arms-to-Iran and aid-to-the-Contras scheme apparently was hatched said it would meet Reagan, at his own invitation. It interviewed Reagan for 76 minutes Jan. 26.

The second meeting will be held next Wednesday at 1 p.m., presidential spokesman Marlin Fitzwater said today. He said the panel, headed by former Texas Republican Sen. John Tower, would be provided excerpts of Reagan's notes on the Iran affair before the interview.

Panel spokesman Herbert Hetu said the board could go back to Reagan as early as next week. He declined to say what subjects would be covered, but said the board headed by former Texas Republican Sen. John Tower has learned more since it talked with Reagan last month.

The board expects to look at Reagan's notes that he jots down at day's end in the privacy of his White House quarters. It has asked to see them, and the president has agreed.

Meanwhile, House Intelligence Committee chairman Louis Stokes, D-Ohio, said a "bond of mutual respect and trust" between Congress' intelligence committees and the CIA has been broken. He referred to the CIA's 10-month delay in notifying Congress of the Iranian arms sale and the diversion of funds to the U.S.-backed rebels in Nicaragua.

His proposal is sure to touch off a debate over how much the executive branch must tell Congress. Stokes wants advance notice for every covert operation, with 48-hour delays permitted in rare instances. The existing law requires notification of covert operations but was left vague to avoid a confrontation over the executive branch's right to keep secrets.

**EXIS<sup>®</sup> NEXIS<sup>®</sup> LEXIS<sup>®</sup> NEXIS<sup>®</sup>**





100TH CONGRESS  
1ST SESSION

# H. R. 1013

To strengthen the system of congressional oversight of the intelligence activities  
of the United States.

---

## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 4, 1987

Mr. STOKES (for himself, Mr. BOLAND, Mr. BEILENSEN, Mr. MCHUGH, Mr. McCURDY, Mr. DANIEL, Mr. BROWN of California, Mr. DWYER of New Jersey, Mrs. KENNELLY, Mr. KASTENMEIER, and Mr. ROE) introduced the following bill; which was referred jointly to the Permanent Select Committee on Intelligence and the Committee on Foreign Affairs

---

## A BILL

To strengthen the system of congressional oversight of the  
intelligence activities of the United States.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the "Intelligence Oversight  
5       Amendments of 1987".

6       **SEC. 2. WRITTEN FINDINGS.**

7       Section 662 of the Foreign Assistance Act of 1961 (22  
8       U.S.C. 2422) is amended—

1 (1) by inserting “, in writing,” after “the Presi-  
2 dent finds”; and

3 (2) by inserting “, and a copy of each such writ-  
4 ten finding shall be furnished, prior to the initiation of  
5 any such operation, to the Select Committee on Intelli-  
6 gence of the Senate and the Permanent Select Com-  
7 mittee on Intelligence of the House of Representatives,  
8 or, as the case may be, to the Members of Congress  
9 referred to in section 501(a)(1)(B) of the National Secu-  
10 rity Act of 1947, and to the Vice President of the  
11 United States, the Secretary of State, the Secretary of  
12 Defense, and the Director of Central Intelligence”  
13 before the period at the end thereof.

14 **SEC. 3. DEFERRAL OF NOTICE.**

15 Section 501 of the National Security Act of 1947 (50  
16 U.S.C. 413) is amended—

17 (1) in subsection (a), by striking “all applicable  
18 authorities and duties, including those conferred by the  
19 Constitution upon the executive and legislative  
20 branches of the Government, and to the extent consist-  
21 ent with”;

22 (2) by striking subsection (b);

23 (3) by redesignating subsections (c), (d), and (e) as  
24 subsections (b), (c), and (d), respectively;

1           (4) in subsection (b), as so redesignated, by strik-  
2       ing “subsections (a) and (b)” and inserting in lieu  
3       thereof “subsection (a)”; and

4           (5) by adding at the end the following new sub-  
5       section:

6       “(e) Only in extraordinary circumstances affecting the  
7       vital interests of the United States, and only where time is of  
8       the essence, the provision to the Congress of notice of a sig-  
9       nificant anticipated intelligence activity may be deferred for  
10      not more than 48 hours after the initiation of such an activity  
11      or the signing of a finding pursuant to section 662 of the  
12      Foreign Assistance Act of 1961.”.

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# H. J. RES. 48

## IN THE HOUSE OF REPRESENTATIVES

# JOINT RESOLUTION

1       *Resolved by the Senate and House of Representatives*  
2   *of the United States of America in Congress assembled,*  
3                               **ESTABLISHMENT**

Declassified in Part - Sanitized Copy Approved for Release 2011/11/29 : CIA-RDP90G00152R000200290005-2

## 1 MEMBERSHIP

2 SEC. 2. (a) The joint committee shall be composed of  
3 nine Members of the Senate and nine Members of the House  
4 of Representatives to be appointed as follows—

5 (1) five members of the Senate from the majority  
6 party and four Members of the Senate from the minori-  
7 ty party shall be appointed by the President pro tem-  
8 pore of the Senate, including at least one but not more  
9 than two members from each of the following commit-  
10 tees: the Committee on Appropriations; the Committee  
11 on Armed Services; the Committee on Foreign Rela-  
12 tions; and the Committee on the Judiciary.

13 (2) five members of the House of Representatives  
14 from the majority party and four Members of the  
15 House from the minority party shall be appointed by  
16 the Speaker of the House, including at least one but  
17 not more than two members from each of the following  
18 committees: the Committee on Appropriations; the  
19 Committee on Armed Services; the Committee on For-  
20 eign Affairs; and the Committee on the Judiciary.

21 The majority leader and minority leader of the House of Rep-  
22 resentatives and the majority leader and minority leader of  
23 the Senate shall be ex officio members of the joint committee  
24 but shall have no vote in the joint committee and shall not be  
25 counted for purposes of determining a quorum.

1 (b)(1) Except as provided in paragraph (2), no Member  
2 of the Congress shall serve continuously on the joint commit-  
3 tee for more than six years.

4 (2)(A) Of the members of the joint committee initially  
5 appointed, three Members from the Senate, no more than two  
6 of whom are members of the same party, and three Members  
7 of the House of Representatives, no more than two of whom  
8 are members of the same party, shall be appointed to each of  
9 three classes of initial terms; for two years, four years, and  
10 six years, respectively.

11 (B)(i) No member who begins service on the joint com-  
12 mittee during the first session of a Congress shall serve con-  
13 tinuously for more than five years plus the remainder of the  
14 session during which such service began.

15 (ii) No member who begins service on the joint commit-  
16 tee during the second session of a Congress shall serve con-  
17 tinuously for more than six years plus the remainder of the  
18 session during which such service began.

19 (c) Vacancies in the membership of the joint committee  
20 shall not affect the power of the remaining members to exe-  
21 cute the functions of the joint committee and shall be filled in  
22 the same manner as in the case of the original appointment,  
23 for terms as provided in subsection (b).

24 (d)(1) The joint committee shall select a chairman and a  
25 vice chairman from among its members at the beginning of

1           (D) The intelligence and intelligence-related  
2           activities of other agencies and subdivisions of the  
3           Department of Defense.

4           (E) The intelligence and intelligence-related  
5           activities of the Department of State.

6           (F) The intelligence and intelligence-related  
7           activities of the Federal Bureau of Investigation,  
8           including all activities of the Intelligence Division.

9           (G) Any department, agency, or subdivision  
10          which is the successor to any agency named in  
11          subparagraph (A), (B), or (C); and the activities of  
12          any department, agency, or subdivision which is  
13          the successor to any department, agency, bureau,  
14          or subdivision named in subparagraph (D), (E), or  
15          (F), to the extent that the activities of such suc-  
16          cessor department, agency, or subdivision are ac-  
17          tivities described in subparagraph (D), (E), or (F).

18          (b) The joint committee shall review and study on a con-  
19          tinuing basis any intelligence activity conducted by any  
20          agency or department of the Federal Government.

21          (c) In order to assist the Congress, the provisions of  
22          clause 2(a) and (b)(1) of rule X of the Rules of the House of  
23          Representatives, except for the last two sentences of clause 2  
24          (b)(1), shall apply to the joint committee.

## 1 POWERS

2 SEC. 4. (a) The joint committee, or any duly authorized  
3 subcommittee thereof, is authorized to sit and act at such  
4 places and times during the sessions, recesses, and adjourned  
5 periods of the Congress, to require by subpoena the attend-  
6 ance of such witnesses and the production of such books,  
7 papers, and documents, to administer such oaths and affirma-  
8 tions, to take such testimony, to procure such printing and  
9 binding, and to make such expenditures, as it considers advis-  
10 able.

11 (b)(1) The joint committee may make such rules respect-  
12 ing its organization and procedures as it considers necessary,  
13 except that no recommendation shall be reported from the  
14 joint committee unless a majority of the joint committee  
15 assent.

16 (2) Ten members of the joint committee shall constitute  
17 a quorum for reporting any recommendation.

18 (c) Subpoenas may be issued over the signature of the  
19 chairman of the joint committee or of any member designated  
20 by the chairman or by the joint committee to the extent the  
21 chairman or such member is authorized by a majority of the  
22 joint committee to issue such subpoenas, and may be served  
23 by any person designated by such chairman or member.

24 (d) The chairman of the joint committee or any member  
25 thereof may administer oaths or affirmations to witnesses.

1 (e) The joint committee shall, under such regulations as  
2 the joint committee shall prescribe, make any information in  
3 its possession available to any other committee or Member of  
4 the Congress, and may permit any other Member of the Con-  
5 gress to attend any hearing of the joint committee which is  
6 closed to the public. Whenever the joint committee makes  
7 such information available, the joint committee shall keep a  
8 written record showing, in the case of any particular informa-  
9 tion, which committee or which Members of the Congress  
10 received such information. No Member of Congress who, and  
11 no committee which, receives any information under this sub-  
12 section shall disclose such information except in a closed ses-  
13 sion of the House of Representatives or the Senate.

14 (f) The joint committee may permit any individual desig-  
15 nated by the President as a liaison to the joint committee to  
16 attend any meeting of the joint committee which is closed to  
17 the public.

18 INFORMATION FROM FEDERAL AGENCIES AND  
19 DEPARTMENTS

20 SEC. 5. Any agency or department of the Federal Gov-  
21 ernment described in section 3(a)(2)(A) through (F) and any  
22 other agency or department of the Federal Government con-  
23 ducting any intelligence activity, shall keep the joint commit-  
24 tee fully and currently informed with respect to any such  
25 activity. Any such agency or department shall furnish any

1 periodic reports requested by the joint committee with re-  
2 spect to any such activity.

3 CLASSIFICATION AND RELEASE OF INFORMATION

4 SEC. 6. (a) The joint committee shall classify informa-  
5 tion originating within the joint committee, and the records of  
6 the joint committee, in accordance with standards used gen-  
7 erally by the executive branch of the Federal Government for  
8 the classification of information. The joint committee shall  
9 establish guidelines under which such information and  
10 records may be (1) maintained; (2) used by the staff of the  
11 joint committee; and (3) made available to any Member of the  
12 Congress who requests such information or records and has  
13 an appropriate security clearance, as determined by the joint  
14 committee.

15 (b)(1) The joint committee may, subject to the provisions  
16 of this subsection, disclose publicly any information in the  
17 possession of the joint committee after a determination by the  
18 joint committee that the public interest would be served by  
19 such disclosure.

20 (2)(A) In any case in which the joint committee votes to  
21 disclose publicly any information which has been classified  
22 under established security procedures, which has been sub-  
23 mitted to it by the executive branch, and which the executive  
24 branch requests be kept secret, the joint committee shall  
25 notify the President of such vote.



1 (B) The joint committee may disclose publicly such in-  
2 formation after the expiration of a five-day period following  
3 the day on which notice of such vote is transmitted to the  
4 President, unless prior to the expiration of such five-day  
5 period, the President, personally in writing, notifies the joint  
6 committee that he objects to the disclosure of such informa-  
7 tion, provides his reasons therefor, and certifies that the  
8 threat to the national interest of the United States posed by  
9 such disclosure is of such gravity that it outweighs any public  
10 interest in the disclosure.

11 (3)(A) If the President notifies the joint committee of his  
12 objections to the disclosure of such information as provided in  
13 paragraph (2)(B), the joint committee may, by majority vote,  
14 refer the question of the disclosure of such information with a  
15 recommendation thereon to the House of Representatives  
16 and the Senate for consideration.

17 (B) The joint committee shall not publicly disclose such  
18 information unless a two-thirds majority of each House has,  
19 by recorded vote in open session but without divulging the  
20 information with respect to which the vote is being taken,  
21 agreed to the recommendation of the joint committee to dis-  
22 close such information.

23 (C) If within four calendar days on which the House of  
24 Representatives is in session, after such recommendation is  
25 reported to the House, no motion has been made by the

1 chairman or vice chairman of the joint committee to consider,  
2 in closed session, the matter reported under subparagraph  
3 (A), then such a motion will be deemed privileged and may be  
4 made by any Member. The motion under this subparagraph  
5 shall not be subject to debate or amendment. When made, it  
6 shall be decided without intervening motion, except one  
7 motion to adjourn.

8 (D) If the House adopts a motion to resolve into closed  
9 session, the Speaker shall then be authorized to declare a  
10 recess subject to the call of the Chair. At the expiration of  
11 such recess, the pending question, in closed session, shall be,  
12 "Shall the House approve the recommendations of the joint  
13 committee?"

14 (E) After not more than two hours of debate on the  
15 motion, such debate to be equally divided and controlled by  
16 the chairman or vice chairman and ranking minority member  
17 of the joint committee, or their designees, the previous ques-  
18 tion shall be considered as ordered and the House, without  
19 intervening motion except one motion to adjourn, shall imme-  
20 diately vote on the question, in open session but without di-  
21 vulguing the information with respect to which the vote is  
22 being taken. If the recommendation of the joint committee is  
23 not agreed to by a two-thirds majority, the question shall be  
24 deemed recommitted to the joint committee for further  
25 recommendation.

## 1 RECORDS

2 SEC. 7. The joint committee shall keep a complete  
3 record of all joint committee actions, including a record of the  
4 votes on any question on which a record vote is demanded.  
5 All records, data, charts, and files of the joint committee shall  
6 be the property of the joint committee and shall be kept in  
7 the office of the joint committee or such other places as the  
8 joint committee may direct.

## 9 UNAUTHORIZED DISCLOSURE OF INFORMATION

10 SEC. 8. (a) The joint committee shall establish and carry  
11 out such rules and procedures as it considers necessary to  
12 prevent the disclosure, outside the joint committee, of any  
13 information which (1) relates to any intelligence activity  
14 which is conducted by any agency or department of the Fed-  
15 eral Government; (2) is obtained by the joint committee, any  
16 member of the joint committee, or any member of the staff of  
17 the joint committee; and (3) is not authorized by the joint  
18 committee to be disclosed.

19 (b) No member of the staff of the joint committee shall  
20 be given access to any classified information by the joint com-  
21 mittee unless such staff member has received an appropriate  
22 security clearance as determined by the joint committee, in  
23 consultation with the Director of Central Intelligence and  
24 other appropriate intelligence community officials. The type  
25 of security clearance to be required in the case of any such  
26 staff member or any class of staff members shall, within the

1 determination of the joint committee, in consultation with the  
2 Director of Central Intelligence and other appropriate intelli-  
3 gence community officials, be commensurate with the sensi-  
4 tivity of the classified information to which such staff member  
5 or class of staff members will be given access by the joint  
6 committee.

7 (c)(1) The joint committee may take appropriate actions  
8 against any member of the joint committee, or any staff  
9 member of the joint committee, who violates any provision of  
10 this section or any guideline established under section 6.

11 (2)(A) In the case of a member of the joint committee,  
12 such action may include (i) the censure of such member by  
13 the joint committee; (ii) the expulsion of such member from  
14 the joint committee, unless such expulsion is objected to,  
15 within five legislative days after the joint committee reports  
16 such expulsion, by a majority vote in the House of Congress  
17 of which such member is a Member; and (iii) recommendation  
18 to the Senate or the House of Representatives, as the case  
19 may be, by the joint committee that such member be cen-  
20 sured or expelled by the Senate or the House of Representa-  
21 tives.

22 (B) Unless an objection is adopted under subparagraph  
23 (A)(ii) of this paragraph, no member of the joint committee  
24 who the joint committee has expelled shall attend or partici-  
25 pate in any meeting or activity of the joint committee.



1 policy of the joint committee governing the disclosure  
2 of classified information.

3 (b) In carrying out any of its functions under this joint  
4 resolution, the joint committee may utilize, on a reimbursable  
5 basis, the services, information, facilities, and personnel of  
6 any agency or department of the Federal Government, and  
7 may procure the temporary or intermittent services of ex-  
8 perts or consultants by contract at rates of pay not in excess  
9 of the daily equivalent of the annual rate of basic pay payable  
10 for grade GS-18 of the General Schedule under section  
11 5332(a) of title 5, United States Code, including payment of  
12 such rates for necessary traveltime.

13 **EXPENSES**

14 SEC. 10. The expenses of the joint committee shall be  
15 paid one-half from the contingent fund of the House of Rep-  
16 resentatives and one-half from the contingent fund of the  
17 Senate, from funds appropriated for the joint committee,  
18 upon vouchers approved by the chairman of the joint  
19 committee.

20 **DEFINITION**

21 SEC. 11. For purposes of this joint resolution—

22 (1) the term “intelligence activities” includes—

23 (A) the collection, analysis, production, dis-  
24 semination, or use of information which relates to  
25 any foreign country, or any government, political  
26 group, party, military force, movement, or other

1 association in such foreign country, and which re-  
2 lates to the defense, foreign policy, national secu-  
3 rity, or related policies of the United States, and  
4 other activity which is in support of such  
5 activities;

6 (B) activities taken to counter similar activi-  
7 ties directed against the United States;

8 (C) covert or clandestine activities affecting  
9 the relations of the United States with any foreign  
10 government, political group, party, military force,  
11 movement, or other association; and

12 (D) the collection, analysis, production, dis-  
13 semination, or use of information about activities  
14 of persons within the United States, its territories  
15 and possessions, or nationals of the United States  
16 abroad whose political and related activities pose,  
17 or may be considered by any department, agency,  
18 bureau, office, division, instrumentality, or em-  
19 ployee of the United States to pose, a threat to  
20 the internal security of the United States, and  
21 covert or clandestine activities directed against  
22 such persons; and

23 (2) the term "staff" includes any employee of the  
24 joint committee and any person engaged by contract or  
25 otherwise to perform services for the joint committee.

## 1 RULES

2 SEC. 12. (a)(1) Clause 1(c)(1) of rule X of the Rules of  
3 the House of Representatives is amended by inserting imme-  
4 diately before the period at the end thereof the following:  
5 “, except for matters exclusively within the legislative juris-  
6 diction of the Joint Committee on Intelligence”.

7 (2) Clause 1(c)(2) of rule X of the Rules of the House of  
8 Representatives is amended by inserting immediately before  
9 the period at the end thereof the following: “, except for  
10 matters exclusively within the legislative jurisdiction of the  
11 Joint Committee on Intelligence”.

12 (3) Clause 1(c)(10) of rule X of the Rules of the House  
13 of Representatives is amended by inserting immediately  
14 before the period at the end thereof the following: “, except  
15 for matters exclusively within the legislative jurisdiction of  
16 the Joint Committee on Intelligence”.

17 (4) Clause 1(k)(1) of rule X of the Rules of the House of  
18 Representatives is amended by inserting immediately before  
19 the period at the end thereof the following: “, except for  
20 matters exclusively within the legislative jurisdiction of the  
21 Joint Committee on Intelligence”.

22 (5) Clause 3(d) of rule X of the Rules of the House of  
23 Representatives is amended by striking out “intelligence ac-  
24 tivities relating to foreign policy,”.



1 that follows through the period and inserting in lieu thereof  
2 “Joint Committee on Intelligence.”.

3 (d) Section 603 of the such Act is amended by striking  
4 out “submit to the Select” and all that follows through  
5 “House of Representatives” and inserting in lieu thereof  
6 “submit to the Joint Committee on Intelligence”.

7 EFFECTIVE DATE

8 SEC. 14. This Act shall take effect at the beginning of  
9 the first Congress beginning after the date of enactment of  
10 this Act.

○

1 follows through “(‘intelligence committees’)” and in-  
2 serting in lieu thereof “Joint Committee on Intelli-  
3 gence (hereafter in this title referred to as the ‘joint  
4 committee’)”;

5 (2) by striking out “intelligence committees” each  
6 place it appears and inserting in lieu thereof “joint  
7 committee”;

8 (3) in subsection (a)(1) by striking out “ranking  
9 minority members” and inserting in lieu thereof “vice  
10 chairman”;

11 (4) in subsection (a)(2) by striking out “either of”;

12 (5) in subsection (d) by striking out “each of” and  
13 inserting in lieu thereof “the Members of each House  
14 on”; and

15 (6) in subsection (d) by striking out “its respec-  
16 tive” both places it appears and inserting in lieu there-  
17 of “their respective”.

18 (b) 502(c)(2) of such Act is amended—

19 (1) by striking “Permanent Select Committee on  
20 Intelligence and” inserting in lieu thereof “joint com-  
21 mittee,”; and

22 (2) by striking “and the Select Committee on In-  
23 telligence” and inserting in lieu thereof a comma.

24 (c) Section 602(c) of such Act is amended by striking out  
25 “Select Committee on Intelligence of the Senate” and all